

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SAMUEL E. RICHARDS,)	
Plaintiff,)	
)	C.A. No. 24-4 Erie
v.)	
)	District Judge Susan Paradise Baxter
M.J. EDWARDS, et al.,)	Chief Magistrate Judge Richard Lanzillo
Defendants.)	

MEMORANDUM ORDER

This is a *pro se* civil rights action filed by Plaintiff Samuel E Richards, an inmate incarcerated at the State Correctional Institution at Albion, Pennsylvania (“SCI-Albion”), pursuant to 42 U.S.C. § 1983, against the following Defendants: Corrections Health Care Administrator M.J. Edwards, Medical Director Dr. Baird, and Nurse Supervisors Money and Lock. Plaintiff alleges constitutional claims of deliberate indifference to serious medical needs under the Eighth Amendment, equal protection under the Fourteenth Amendment, and “due process of law/access to the courts” under the First, Fifth and Fourteenth Amendments, as well as claims under Title II of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12132, *et seq.*, and Pennsylvania’s Right-to-Know Law, 65 Pa. C.S. §§ 67.202, *et seq.* This matter was referred to Chief United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. §636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On May 8, 2024, Plaintiff filed a motion for a preliminary injunction and/or motion for temporary restraining order (“injunction motion”) [ECF No. 22], along with a brief in support thereof [ECF No. 23]. Plaintiff seeks an Order “enjoining [Defendant Dr. Baird], her successors


in office, agents and employees and all other persons acting in concert and participation with [her], from refraining in servicing and and/or all non-privileged” legal documents through Smart Communications and restraining such individuals “from retaining the custody and control [of him.” (ECF No. 22, at p. 1). In addition, Plaintiff requests an immediate transfer “to a specialized unit for visually impaired inmates.” (ECF No. 23).

On May 28, 2024, Judge Lanzillo issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s injunction motion be denied because, *inter alia*, he has failed to allege facts demonstrating either a likelihood of success on the merits or immediate irreparable harm [ECF No. 25]. Objections to the R&R were due to be filed by June 14, 2024; however, no objections have been received by the Court.

Thus, after *de novo* review of Plaintiff’s motion and other documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 24th day of June, 2024;

IT IS HEREBY ORDERED that Plaintiff’s motion for a preliminary injunction and/or motion for temporary restraining order [ECF No. 22] is DENIED. The report and recommendation of Chief Magistrate Judge Lanzillo, issued May 28, 2024 [ECF No. 25], is adopted as the opinion of the court.


SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
Chief United States Magistrate Judge